

(H.R. 1345) to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes; as follows:

On page 7, line 2, strike "or".

On page 7, line 6, strike the period at the end and insert a semicolon.

On page 7, between lines 6 and 7, insert the following:

(3) to amend, supersede, or alter the provisions of title 11 of the District of Columbia Code, or sections 431 through 434, 445, and 602(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act (pertaining to the organization, powers, and jurisdiction of the District of Columbia courts); or

(4) to authorize the application of section 103(e) or 303(b)(3) of this Act (relating to issuance of subpoenas) to judicial officers or employees of the District of Columbia courts.

On page 10, strike lines 7 through 9 and insert the following new paragraph:

"(4) maintains a primary residence in the District of Columbia or has a primary place of business in the District of Columbia."

On page 12, strike lines 17 through 24 and insert the following:

(c) INAPPLICABILITY OF CERTAIN EMPLOYMENT AND PROCUREMENT LAWS.—

(1) CIVIL SERVICE LAWS.—The Executive Director and staff of the Authority may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(2) DISTRICT EMPLOYMENT AND PROCUREMENT LAWS.—The Executive Director and staff of the Authority may be appointed and paid without regard to the provisions of the District of Columbia Code governing appointments and salaries. The provisions of the District of Columbia Code governing procurement shall not apply to the Authority.

PAKISTAN RESOLUTION

PRESSLER AMENDMENT NO. 594

Mr. THOMPSON (for Mr. PRESSLER) proposed an amendment to the resolution (S.Res. 102) to express the sense of the Senate concerning Pakistan and the impending visit of Prime Minister Bhutto; as follows:

On line 4 of page 2, after "the", add the following—"people of the".

SEXUAL CRIMES AGAINST CHILDREN PREVENTION

GRASSLEY (AND OTHERS) AMENDMENT NO. 595

Mr. THOMPSON (for Mr. GRASSLEY for himself, Mr. HATCH, Mr. ROTH, and Mr. THURMOND) proposed an amendment to the bill (H.R. 1240) to combat crime by enhancing the penalties for certain sexual crimes against children; as follows:

On page 1, strike all after enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sex Crimes Against Children Prevention Act of 1995".

SEC. 2. INCREASED PENALTIES FOR CERTAIN CONDUCT INVOLVING THE SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to—

(1) increase the base offense level for an offense under section 2251 of title 18, United States Code, by at least 2 levels; and

(2) increase the base offense level for an offense under section 2252 of title 18, United States Code, by at least 2 levels.

SEC. 3. INCREASED PENALTIES FOR USE OF COMPUTERS IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level by at least 2 levels for an offense committed under section 2251(c)(1)(A) or 2252(a) of title 18, United States Code, if a computer was used to transmit the notice or advertisement to the intended recipient or to transport or ship the visual depiction.

SEC. 4. INCREASED PENALTIES FOR TRANSPORTATION OF CHILDREN WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for an offense under section 2423(a) of title 18, United States Code, by at least 3 levels.

SEC. 5. TECHNICAL CORRECTION.

Section 2423(b) of title 18, United States Code, is amended by striking "2245" and inserting "2246".

SEC. 6. REPORT BY THE UNITED STATES SENTENCING COMMISSION.

Not later than 180 days after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report to Congress concerning offenses involving child pornography and other sex offenses against children. The Commission shall include in the report—

(1) an analysis of the sentences imposed for offenses under sections 2251, 2252, and 2423 of title 18, United States Code, and recommendations regarding any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(2) an analysis of the sentences imposed for offenses under sections 2241, 2242, 2243, and 2244 of title 18, United States Code, in cases in which the victim was under the age of 18 years, and recommendations regarding any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(3) an analysis of the type of substantial assistance that courts have recognized as warranting a downward departure from the sentencing guidelines relating to offenses under section 2251 or 2252 of title 18, United States Code;

(4) a survey of the recidivism rate for offenders convicted of committing sex crimes against children, an analysis of the impact on recidivism of sexual abuse treatment provided during or after incarceration or both, and an analysis of whether increased penalties would reduce recidivism for those crimes; and

(5) such other recommendations with respect to the offenses described in this section as the Commission deems appropriate.

Mr. GRASSLEY. Mr. President, I rise to offer an amendment to H.R. 1240, the Sexual Crimes Against Children Prevention Act of 1995. H.R. 1240 seeks to enhance prison time as well as fines for

child pornographers who use computers to trade in child pornography. I believe that this penalty enhancement is an important measure and the Grassley-Hatch-Thurmond amendment merely clarifies what the House intended to do in order to remove any possible confusion in the future.

Computers are now the preferred business forum for child pornographers. Due to modern technology, predatory pedophiles sell, purchase and swap the most vile depictions of children engaged in the most outrageous types of sexual conduct.

Simply put, child pornography on computers is dangerous and must be stopped. In the past, whenever, State or Federal law enforcement agents arrested a child pornographer, or ring of child pornographers, they seized and then destroyed the child pornography. This kept child pornography out of the hands of child molesters and preserved the privacy of the children who had been so callously exploited. But now, because of digital computer technology, it is nearly impossible to actually destroy child pornography. That means there will be more child pornography for child molesters and less privacy for abused children. We in Congress must do something.

H.R. 1240 and the Grassley-Hatch-Thurmond amendment would discourage child pornographers from using computers to trade in child pornography. And when the U.S. Sentencing Commission reports to us this fall on how computer child pornographers are being punished, I will take a close look to see if there is anything the Senate can do to provide even more protection to children.

Mr. HATCH. Mr. President, I am pleased to join with Senators GRASSLEY and THURMOND in offering the Sex Crimes Against Children Prevention Act of 1995.

Obscenity is a plague upon the moral fabric of this great Nation. It poisons the minds and spirits of our youth and fuels the growth of organized crime. Child pornography, a particularly pernicious evil, is something that no civilized society can tolerate.

To this end, I am introducing legislation to increase the penalties imposed under sections 2251 and 2252 of title 18 of the United States Code, upon those who exploit and degrade the weakest and most helpless members of our society, our children. Those persons who choose to engage in sexual exploitation of children, whether to satisfy prurient desire or to gain filthy lucre, must be made to feel the full weight of the law and suffer a punishment commensurate with the seriousness of their offense.

In addition to increasing the penalties for distributing child pornography or otherwise sexually exploiting children, I am pleased to note that this legislation helps our law enforcement efforts in this area keep pace with changing technology by increasing the penalties for the use of computers in connection with the distribution of